

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,214	07/25/2001	Theodore C. Johnson	13724-849

CONFIRMATION NO. 6833

FORMALITIES LETTER



OC00000006531612

Joel Harris
967 North Shoreline Boulevard
Mountain View, CA 94043

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OCT 18 2002

OFFICE OF PETITIONS

Date Mailed: 09/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).


- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$557.
 - \$342 for 38 total claims over 20.
 - \$80 for 2 independent claims over 3 .
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR.1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 977.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/916,214	07/25/2001	Theodore C. Johnson	13724-849

Joel Harris
967 North Shoreline Boulevard
Mountain View, CA 94043

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OFFICE OF PETITIONS

CONFIRMATION NO. 6833
ABANDONMENT/TERMINATION
LETTER



OC00000008701868

Date Mailed: 08/29/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/07/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

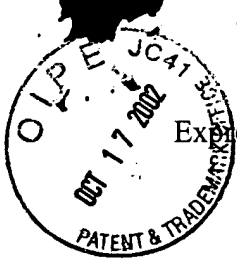
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/21/2002 AWONDAF1 00000094 09916214

02 FC:2051
03 FC:2202

65.00 OP
90.00 OP



09916214.101702 #18

Express Mail Label No. EV 057 398 085 US

Docket No. 37167-8040.US00 (13724-849)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Johnson *et al.*
SERIAL No.: 09/916,214
FILED: July 25, 2001
FOR: APPARATUS FOR DETECTING AND TREATING
TUMORS USING LOCALIZED IMPEDANCE MEASUREMENT

EXAMINER: Unknown
ART UNIT: 3761
CONFIRMATION No. 6833

Response to Notice to File Missing
Parts of Application

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

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OCT 18 2002
OFFICE OF PETITIONS

Sir:

1. In response to the Notice to File Missing Parts mailed September 7, 2001 (copy enclosed), applicant submits the following:
 - ☒ A Petition to Revive Unintentionally Abandoned Application under 37 CFR 1.137(b).
 - ☒ An executed Inventorship Declaration by Joint Inventors
 - ☒ An executed Power of Attorney by Assignee
 - ☒ a copy of an assignment recordation cover sheet **for information purposes only** (Form PTOL-1595) for assignment being filed separately.
 - ☒ A Preliminary Amendment
 - ☒ A Request for Corrected Filing Receipt with copy of original filing receipt with added priority data noted thereon.
2. Conditional Petition for Extension of Time

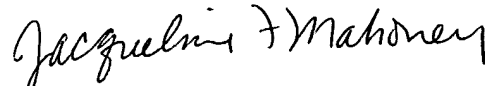
Applicant petitions for an Extension of Time if necessary for timely filing of this Response.
3. Fee Payment
 - ☒ Applicant claims small entity status. See 37 CFR §1.27.

Express Mail Label No. EV 057 398 085 US

Docket No. 37167-8040.US00 (13724-849)

- ☒ Enclosed is a check in the amount of **\$795.00** which includes the petition to revive fee (\$640.00), the fee for 10 total claims in excess of 20 (\$90.00), and the surcharge for late filing of the executed declaration (\$65.00).
- ☒ Please charge any underpayment or credit any overpayment for timely filing of this Response to Deposit Account No. **50-2207**.

Respectfully submitted,



Jacqueline F. Mahoney
Registration No. 48,390

Date: October 17, 2002**Correspondence Address:**

Customer No. 22918

Phone: (650) 838-4410



9

Express Mail Label No. EV 057 398 085 US

Attorney Docket No. 37167-8040.US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JOHNSON *et al.*

SERIAL No.: 09/916,214

FILED: July 25, 2001

FOR: APPARATUS FOR DETECTING AND
TREATING TUMORS USING LOCALIZED
IMPEDANCE MEASUREMENT

EXAMINER: Unknown

ART UNIT: 3761

CONFIRMATION No.: 6833

Request for Corrected Filing Receipt

Application Processing Division
Customer Correction Branch
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
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OFFICE OF PETITIONS

Sir:

1. Attached is a copy of an official filing receipt received from the U.S. Patent and Trademark Office for which a corrected filing receipt is respectfully requested.
2. There is an omission in the Domestic Priority data as claimed by applicant. The Priority data should include 60/220,639 filed 7/25/00. Enclosed is a copy of incorrect filing receipt showing the added priority data.

Respectfully submitted,

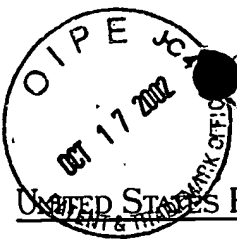
Jacqueline F. Mahoney

Jacqueline F. Mahoney
Registration No.48,390

Date: October 17, 2002

Correspondence Address:

Customer No. 22918
Phone: 650 838-4410



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COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/916,214	07/25/2001	3761	0.00	13724-849	29	37	5

CONFIRMATION NO. 6833

FILING RECEIPT



OC000000006531611

Joel Harris
967 North Shoreline Boulevard
Mountain View, CA 94043

COPY

Date Mailed: 09/07/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Theodore C. Johnson, Residence Not Provided;
Daniel J. Balbierz, Residence Not Provided;
Robert Pearson, Residence Not Provided;

Domestic Priority data as claimed by applicant

60/220,639 filed 7/25/00

Foreign Applications

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If Required, Foreign Filing License Granted 09/07/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Apparatus for detecting and treating tumors using localized impedance measurement

Preliminary Class

604